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FEDERAL COMMUNICATIONS COMMISSION  
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LEGISLATIVE/REGULATORY AFFAIRS  
COMMITTEE

- FOR REGION 20 -

MARYLAND, WASHINGTON, D.C. AND  
NORTHERN VIRGINIA



Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of

Redevelopment of Spectrum to  
Encourage Innovation in the  
Use of New Telecommunications  
Technologies

ET Docket No. 92-9

COMMENTS

Submitted by:

Legislative Affairs Committee  
Region-20 Public Safety Plan Review Committee  
Dr. Michael C. Trahos, D.O., NCE, CET - Chairman  
4600 King Street, Suite 4E/5N  
Alexandria, Virginia 22302

June 3, 1992

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Submitted by: Legislative Affairs Committee  
Region 20 Public Safety Review Committee  
Dr. Michael C. Trahos, D.O., NCE, CET - Chairman  
4600 King Street, Suite 4E  
Alexandria, Virginia 22302

Date: June 3, 1992

I.

INTRODUCTION

1. Before the Federal Communications Commission (Commission) is a Notice of Proposed Rule Making (Notice) concerning redevelopment of spectrum for the introduction of new future public land mobile telecommunications systems.

2. Pursuant to the authority given by the Commission under the Report and Order in General Docket 87-112 1/, the Region-20

Public Safety Planning Committee was created to address the future communications needs and concerns of the PSRS users for Region-20. The obligations of that Committee included the submission to the Commission of a Region-20 Public Safety Radio Communications Plan (Region-20 Plan) 2/ and establishment of a Region-20 Public Safety Review Committee (Committee) to oversee its implementation.

3. This Notice has raised important issues. This Committee, representing the PSRS/governmental constituents for Region-20, hereby submits the following Comments in response to this Notice, addressing those issues of most concern and their potential effects on the Region-20 Plan implementation process and constituency.

## II.

### COMMENTS

4. This Committee agrees with the Commission's proposal to "exempt state and local government 2 GHz fixed microwave facilities from any mandatory transition periods."3/ This would allow police, fire or other public safety entities to continue to operate solely on their authorized frequencies or elect to share their frequencies "on a co-primary basis indefinitely, at the discretion of the state and local government licensees."4/

5. This Committee, however, disagrees with the Commission's proposal that makes "applications submitted after the adoption date of this Notice for new 2 GHz facilities by state and local government agencies will be authorized on a secondary basis only, conditioned upon the outcome of this proceeding."5/ This "cut-off" date is unfair and unreasonable.

6. The Commission has failed to take into consideration the numerous 5-year, slow-growth, 821-824 MHz Public Safety system applications, with planned 2 GHz microwave links, already in the "pipe-line". These applications are currently before the various local/state legislative finance committees, regional plan review committees (RPRC), frequency coordinator (Associated Public-Safety Communications Officers, Inc./APCO) and Private Radio Bureau's Licensing Division, or already issued licenses by the Commission.

7. These "pipe-line" applications have gone through extensive design engineering at no small cost to the applicants. Many systems plan to use new or modified existing long-haul 2 GHz microwave facilities to achieve the desired system coverage necessary at the least cost. These new or modified existing 2 GHz links have yet to be applied for. Furthermore, they are not planned to be applied for until the latter years of the slow-growth

periods. Substituting higher frequency, short-haul, microwave links or alternative media, at this late phase of the process, will simply not suffice.

8. The Commission states it recognizes that "state and local government agencies would face special economic and operational considerations in reallocating their 2 GHz fixed microwave operations to higher frequencies or alternative media."6/ This statement is even more true for "pipe-line" applicants than current licensees.

9. Most local and state governmental authorities are in an economic crisis. They look to every avenue to cut spending. Many "pipe-line" applicants must fight for every penny they can get from their respective governmental entities. For some it took, or will continue to take, years to acquire the funding for their presently proposed systems.

10. The cut-off date, if adopted as proposed, will force many "pipe-line" applicants to withdraw applications and re-engineer systems. For some, this may mean starting from scratch. The time and effort to re-engineer more elaborate systems, to accommodate for short-haul higher frequency microwave links, and resubmit their applications through the "pipe-line" process could literally take several years to accomplish.

11. Not only will this significantly delay the deployment of a National Public Safety Communications System, pursuant to and in direct conflict with the Report and Order in General Docket 87-112, but for some "pipe-line" applicants, it may simply be impossible to accomplish. This will be due to the lack of the additional governmental funding necessary to alter their presently proposed systems to accommodate for more elaborate, significantly higher cost, designs using higher microwave frequencies or alternative media.

III.

CONCLUSION

12. Pursuant to 47 CFR 1.415, this Committee hereby submits these Comments in response to this Notice. These Comments clearly show that this Notice, as proposed, would significantly impact the National/Regional Public Safety Plan implementation processes.

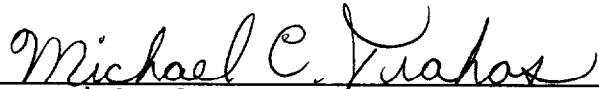
13. The proposed cut-off date, this Notice adoption date, for new 2 GHz Public Safety microwave applications is clearly unacceptable. Not even a Report and Order adoption date to this proceeding would be an acceptable cut-off.

14. Public Safety "pipe-line" applicants must be given full latitude to construct their systems as currently proposed. They can

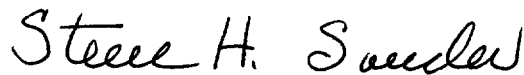
not be the subjects of a "squeeze-play". To do so places the public's safety at risk.

15. This Committee therefore proposes that the cut-off date for new Public Safety 2 GHz microwave applications be 3 years after the adoption date of a Report and Order to this proceeding. This would correspond to the 3rd year fixed station implementation schedule requirement of 5-year slow-growth periods authorized by the Commission for these systems plus adequate time to get the remaining pending applications through the "pipe-line". Anything less would not be in the public interest.

Respectfully submitted,



Dr. Michael C. Trahos, D.O., NCE, CET  
Chairman - Region-20  
Legislative Affairs Committee



Mr. Steve H. Souder  
Chairman - Region-20  
Regional Plan Review Committee

MCT/mct

IV.

FOOTNOTES

- 1/ REPORT AND ORDER, General Docket 87-112, FCC 87-359, Paragraph 4.
- 2/ WASHINGTON, D.C. METROPOLITAN AREA - REGION 20, General Docket 90-7, DA 90-28, January 17, 1990.
- 3/ NOTICE OF PROPOSED RULE MAKING, ET Docket 92-9, FCC 92-20, Paragraph 25.
- 4/ Ibid.
- 5/ Ibid.
- 6/ Ibid.